
Chapter 4 – NURSE AIDE REGISTRY

4.1.0 WISCONSIN NURSE AIDE REGISTRY

Beginning in 1990, the federal government required all states to establish a “Registry” of persons who were eligible to work as a nurse aide in federally regulated facilities. The Wisconsin Nurse Aide Registry lists the names of nurse aides who, through training, testing and experience, meet federal and/or state requirements to work in Wisconsin. Federal regulations require all states to keep such a list.

4.2.0 ENTRY ON REGISTRY

Federal and state regulations require that a person’s name is entered on the Wisconsin Nurse Aide Registry only after satisfactorily completing **both** a Wisconsin approved:

1. Nurse aide training program, or basic nursing course for professional nurses or licensed practical nurses, and
2. Competency evaluation program (see 3.1.1).

States were allowed to waive the training and testing requirement for a person who completed a nurse aide training and testing program prior to July 1, 1989, under the process known as “deeming.” Federal regulations also allowed states to waive the training and testing requirement for a person who worked as a nurse aide at one or more facilities of the same employer for at least 24 consecutive months before December 19, 1989, under the process known as “grandparenting.” Accordingly, some individuals were “deemed” or “grandparented” on to the Wisconsin Nurse Aide Registry.

A person may also transfer from another state nurse aide registry (see 4.2.1) if that state’s placement meets the above criteria and the Wisconsin Nurse Aide Registry has written confirmation from the other state’s registry.

4.2.1 Out of State Application

A person listed on another state’s nurse aide registry who wants to be entered on the Wisconsin Nurse Aide Registry must complete the ***Nurse Aide Registry Out-of-State Application***, <http://www.asisvcs.com/indhome.asp?CPCAT=0750NURSE>.

The applicant must complete all of Part I of the application and attach verification of his or her personal identity, including:

- Name
- Date of birth
- Social Security Number

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Examples of verification of name and date of birth include but are not limited to a photocopy of a birth certificate, driver's license, or passport. Examples of verification of Social Security Number include but are not limited to a photocopy of a Social Security card, check stub, or Internal Revenue Service form.

The applicant must mail the completed form to the nurse aide registry in the state where he or she is currently listed (see Note below). The form includes the address of each state's nurse aide registry. Nurse aide registry personnel in that state must complete Part II of the application to verify the applicant's registry status in that state. The completed application must be submitted to the:

Wisconsin Nurse Aide Registry
Promissor
PO Box 13785
Philadelphia, PA 19101-3785

Note: The California Nurse Aide Registry and the North Carolina Nurse Aide Registry do not process written verification forms. A person transferring from either of those two states should complete Part I of the application and mail it directly to Promissor.

A person transferring from another state **must not** provide "hands on" care in a facility until he or she has been placed on the Wisconsin Nurse Aide Registry. A nurse aide's Registry employment eligibility status will be determined by the training provided by that state's instructional program (e.g., an aide is eligible to work in a home health agency if he or she completed home health training).

4.2.2 Appeals

A person whose application for entry on the Wisconsin Nurse Aide Registry has been denied may appeal within **30 days** of the decision date by submitting a written request for hearing to the:

Department of Administration
Division of Hearings and Appeals
P.O. Box 7875
Madison, WI 53707-7875

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4.3.0 REGISTRY ENTRY RESULTS

When a person's name is entered on the Wisconsin Nurse Aide Registry, an employment eligibility status is established, a Nurse Aide Registry identification number is assigned and a nurse aide card is issued.

4.3.1 Employment Eligibility Status**4.3.1.1 *Wisconsin Approved Training and Testing:***

Upon entry on the Wisconsin Nurse Aide Registry as a result of successful completion of an approved Wisconsin nurse aide training and competency evaluation program, a nurse aide is determined eligible to work in all of the following BQA regulated entities:

1. Federally certified facilities (approved Medicare and Medicaid providers)
 - Nursing homes
 - Intermediate care facilities for persons with mental retardation
 - Home health agencies
 - Hospices
2. Hospitals
3. State licensed facilities (not federally certified Medicare or Medicaid providers)
 - Facilities for the developmentally disabled
 - Nursing homes
 - Home health agencies
 - Hospices

A nurse aide's employment eligibility to work in federally certified facilities is issued for a **two-year period** based on the date of the competency evaluation test (see 4.4.0).

A nursing home, intermediate care facility for persons with mental retardation (ICF/MR), hospital, home health agency or hospice may not hire a person to provide nurse aide services unless the person:

- has completed an approved training and competency testing program,
or
- is a full-time employee currently enrolled in a program,
and the person is competent to provide nursing related services as specified in 4.3.2.1.

These facilities **must** contact the Nurse Aide Registry prior to hiring a nurse aide to verify that the person's training, testing and/or employment is up to date. Federal regulations require that these facilities also contact every other state registry that may contain information about the person before allowing the person to serve as a nurse aide.

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A facility may hire any person who verifies successful completion of a competency test approved by the State of Wisconsin and is awaiting placement on the Wisconsin Nurse Aide Registry. This person can provide direct nursing related duties pending verification of placement on the Nurse Aide Registry. The facility must verify the person's entry on the Registry within 30 days.

4.3.1.2 *Transfers from Other States Registries:*

Upon entry on the Wisconsin Nurse Aide Registry as a result of a transfer from another state Nurse Aide Registry (see 4.2.1 **Nurse Aide Registry Out-of-State Application**, <http://www.asisvcs.com/publications/pdf/075001.pdf>, a nurse aide's Registry employment eligibility status is determined by the training provided by that state's instructional program (e.g., an aide is eligible to work in a home health agency if he or she completed home health training).

A facility **may not** hire a nurse aide who transfers from another state until that person's name has been entered on the Wisconsin Nurse Aide Registry.

4.3.2 **Nursing Related Duties and Exceptions**

An individual who has successfully completed both a training program and a competency test may be allowed to provide any direct nursing related duties for which that individual has been trained. A RN who delegates tasks to a nurse aide must ensure the aide has been trained to perform the tasks, provide direction and assistance to the aide, observe and monitor the aide's activities and evaluate the acts performed under his/her supervision.

4.3.2.1 *Nurse Aide Students*

A nurse aide student enrolled in an approved nurse aide training program may be permitted to work for up to 120 calendar days, if the person is employed full-time by a federally certified nursing home. The person must be placed on the Nurse Aide Registry by the 120th calendar day from the date of the enrollment in the approved program.

A nurse aide student may be allowed to provide direct nursing related duties for which the student has been trained and found proficient by the instructor. The employer must ensure that the student does not perform services for which they have not been trained and found competent to perform. Students who provide services to residents must be under the general supervision of a RN or LPN.

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4.3.2.2 *Student Nurses*

A student nurse, who is currently enrolled in a school for professional nurses or a school for licensed practical nurses or who has successfully completed the course work of a basic nursing course of the school but has not successfully completed the examination, falls within the state and federal definitions of a nurse aide.

A federally certified nursing home, when allowing a student nurse to perform the services of a nurse aide, must verify the student nurse:

- Is included on the Nurse Aide Registry as a result of completing an approved nurse aide training and testing program; or
- Has successfully completed an approved nurse aide competency test.

A hospital, ICF/MR, home health agency, hospice or state licensed only nursing home, when allowing a student nurse to perform the services of a nurse aide, must verify the student nurse:

- Is included on the Nurse Aide Registry as a result of completing an approved nurse aide training and testing program; or
- Has successfully completed an approved nurse aide competency test; or
- Has successfully completed the basic nursing course of an accredited school for professional or licensed practical nurses.

A student nurse may be allowed to provide direct nursing related duties for which the student nurse has been trained. The employer must ensure that the student nurse does not perform services for which they have not been trained and found competent to perform.

4.3.2.3 *Medication Aides*

In addition to providing direct nursing related duties, a nurse aide who has completed a Wisconsin approved medication aide course may administer medications in long term care facilities. To be eligible to complete a medication aide course, a nurse aide must:

- Be at least 18 years of age;
- Have a high school diploma, High School Equivalency Diploma (HSED), or a General Education Diploma (GED);
- Be listed on the Nurse Aide Registry, with current eligibility to work in federally certified facilities;
- Have at least 2000 hours experience in direct patient care in the past three years;
- Have worked a minimum of 40 hours, within the last 90 days or by the time the course clinical experience begins, caring for the same residents the student will be working with during the medication aide clinical experience;

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- Be recommended in writing by the director of nursing and the administrator of the agency in which the student will be working during clinical experience; and
- Be recommended in writing by two licensed charge nurses, one of whom must be a registered nurse.

After successful completion of an approved medication aide course, the training program will assist the individual in submitting a Medication Aide Registry Application. A Nurse Aide Registry card will be issued that includes information regarding the individual's medication aide status.

Individuals may be exempt from taking a medication aide course if they are one of the following:

- Nursing student;
- Graduate nurse who does not hold a license;
- Nurse aide who has been a medication aide in nursing homes in another state; or
- Taken a medication aide training course that is equivalent to the Wisconsin-approved medication aide training course.

An individual, who meets one of the above, may become a medication aide for a nursing home by completing a Challenge Examination Application. The application must be mailed to the Bureau of Quality Assurance for approval. After approval, the individual will take the Written Examination through the Wisconsin Technical Colleges. The minimum passing score for the Medications Aide Examination is 85%. Individuals who pass the Written Examination will be placed on the Registry as a medication aide.

For questions regarding medication aides or to obtain a list of organizations that offer an approved skilled nursing medication aide course, see http://dhfs.wisconsin.gov/rl_DSL/NHs/MedAides.htm.

4.3.3

Nurse Aide Cards

A nurse aide card is printed and issued to the aide. The card is the person's permanent record that he or she satisfactorily completed a nurse aide training and competency evaluation program. The "Inclusion Date" displayed on the card is the date the person's name was originally entered on the Wisconsin Nurse Aide Registry.

The card **does not** reflect the person's eligibility to work in specific health care facilities or whether a substantiated finding of misconduct exists. To verify a person's current employment eligibility, employers must access the Wisconsin Nurse Aide Registry at http://www.asisvcs.com/services/registry/search_generic.asp?CPCat=0750NURSE or by calling toll-free at (877) 329-8760. Cards issued by the

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Wisconsin Nurse Aide Registry do have an expiration date. A new card is automatically issued upon the processing of a name change or Social Security Number correction. Replacement cards will be issued by calling or writing the Wisconsin Nurse Aide Registry at:

Wisconsin Nurse Aide Registry
Promissor
P.O. Box 13785
Philadelphia, PA 19101-3785
(877) 329-8760

4.3.4 Wisconsin Nurse Aide Training Reimbursement

A nurse aide who pays for his or her own training and testing prior to employment is entitled to reimbursement of some of these expenses from the nursing home if the nursing home employs the aide within 12 months after the aide completed a nurse aide training and competency evaluation program.

A nurse aide who is employed by, or has received an offer of employment from, a Medicaid-certified nursing home on the date the aide begins a nurse aide training and competency evaluation program must not be charged for any portion of the program, including fees for text books or other course materials.

The cost of training and testing of nurse aides in intermediate care facilities for persons with mental retardation (ICFs/MR) is not eligible for separate reimbursement because these costs are already covered in the ICFs/MR daily rate.

For more information about Medicaid reimbursement policies for nurse aide training and competency evaluation programs, please contact the Bureau of Health Care Financing, Nursing Home Section at (608) 267-0996 or (608) 267-9312.

4.4.0 MAINTAINING EMPLOYMENT ELIGIBILITY STATUS

Under federal regulations, a nurse aide becomes ineligible for employment in a **federally certified** (Medicare and/or Medicaid certified):

- Nursing home
- Home health agency
- Hospice

if he or she does not perform any nursing related services for compensation in a health care setting during a period of 24 consecutive months. To regain eligibility, the nurse aide must successfully retake a competency test or retrain and successfully retest.

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In addition, Wisconsin law does not permit a nurse aide to be employed in a **Medicaid certified**:

- Nursing home
- ICF/MR

if the aide did not perform any nursing related services during a period of 24 consecutive months, unless the aide successfully retakes a competency test or retrains and successfully retests.

To maintain eligibility to work in the facilities indicated above, nurse aides must complete a **Nurse Aide Registry Renewal** form, <http://www.asisvcs.com/publications/pdf/075005.pdf> to report their most recent nursing-related employment every 2 years. A representative from the employing health care facility must sign the form to verify the nursing-related employment (see 4.4.1) was performed under the supervision of an RN or LPN.

In order for medication aides (see 4.3.2.3) to maintain certification, they must also maintain eligibility to work in federally certified facilities.

Mail completed **Renewal** forms to the:

Wisconsin Nurse Aide Registry
Promissor
P.O. Box 13785
Philadelphia, PA 19101-3785

Federal and state regulations do not require nurse aides to provide the Registry with employment information if they work **only** in:

- Hospitals or
State licensed (not federally certified Medicare or Medicaid providers):
- Facilities for the developmentally disabled
- Nursing homes
- Home health agencies
- Hospices

These facilities may voluntarily request nurse aides report their employment history to the Registry to maintain employment eligibility to work in federally certified facilities

Currently, an aide's name is not removed from the Nurse Aide Registry. However, the Registry will indicate that a nurse aide's eligibility to work in a federally certified nursing home, ICF/MR, home health agency or hospice has lapsed if employment information is not reported.

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4.4.1 Nursing-Related Employment

Paid employment as a nurse aide under RN or LPN supervision in a direct care setting can be reported to renew the aide's employment status on the Registry. Only those direct care settings that provide RN or LPN supervision are acceptable. Direct care settings include the following:

- Clinics
- Community based residential facilities (CBRFs)
- Emergency centers (immediate care centers, trauma centers)
- Home health agencies
- Hospices
- Hospitals (acute care, alcohol and other drug abuse, psychiatric, rehabilitation)
- Intermediate care facilities for persons with mental retardation (ICFs/MR)
- Nursing homes

Other supervised paid nursing-related services may be considered on a case-by-case basis.

4.4.1.1 *Break in Employment*

If a nurse aide does not work at least 8 hours in a nursing-related employment under the supervision of an RN or LPN, for more than 24 months, he or she **must** successfully pass a competency test in order to regain eligibility to work in a federally certified facility.

A nurse aide may continue to work in hospitals or state licensed nursing homes, home health agencies, facilities for the developmentally disabled or hospices.

4.4.1.2 *In-service Requirements*

There are no in-service or continuing education requirements related to maintaining an aide's status on the Wisconsin Nurse Aide Registry. However, facilities and agencies that employ nurse aides must comply with any applicable in-service requirements under state licensing and federal certification regulations.

Most employers are required to provide and document at least 12 hours of completed nurse aide in-service or continuing education per year as outlined in facility program requirements.

Medication aides must attend 4 hours of in-service annually that focuses on medication and medication administration. These 4 hours are in addition to the mandatory 12 hours of in-service.

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In-service requirements are not tracked by the Registry but are enforced through the BQA survey process.

4.4.2 Reporting Changes

For the Registry to maintain current information, nurse aides must provide updated information to the Registry whenever a name or address change occurs. A nurse aide can report a change by completing the **Change or Correction** form, <http://www.asisvcs.com/publications/pdf/075003.pdf> and indicating the change.

Mail the completed Change Notice form to the:

Wisconsin Nurse Aide Registry
Promissor
P.O. Box 13785
Philadelphia, PA 19101-3785

4.4.2.1 *Name*

A photocopy of the legal document that changed the nurse aide's name must be attached to the **Change or Correction** form in order to process the change (e.g., marriage certificate, court order, etc.). Do not submit the original document.

4.4.2.2 *Address*

Address changes may be reported to the Wisconsin Nurse Aide Registry either by indicating the change on either the **Nurse Aide Registry Renewal** or **Change or Correction** form.

4.4.2.3 *Social Security Number*

A photocopy of the document that verifies the correct Social Security Number must be attached to the **Change or Correction** form in order to process the change (e.g., Social Security card, check stub, IRS Statement, etc.). Do not submit the original document.

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4.5.0 NURSE AIDE REGISTRY

The Nurse Aide Registry website, maintained by Promissor, is the fastest, most efficient way to verify a nurse aide's employment eligibility status. Employers **must** verify a nurse aide's current employment eligibility prior to hiring a person. Information regarding a nurse aide's employment eligibility status on the Registry may be accessed at https://www.asisvcs.com/services/registry/search_generic.asp?CPCat=0750NURSE. You may search for one or more nurse aides at a time by entering the nurse aide's name, registry number or Social Security Number.

If the individual is listed on the Wisconsin Nurse Aide registry, the Website will display the nurse aide's:

- Registration Number
- Social Security Number if used;
- Last name and first name;
- Date of birth;
- Date entered on the Registry;
- Employment eligibility expiration date;
- Basis for inclusion on the Registry;
- Employment eligibility status as one of the following:

| Employment Eligibility Status | Which Indicates |
|--|--|
| Federally Certified Nursing Homes, ICFs/MR, Home Health Agencies & Hospices and State Licensed Hospitals, FDDs, Nursing Homes, Home Health Agencies & Hospices | A person who completed a training program and competency evaluation test and is eligible to work in all facility types. |
| State Licensed Hospitals, FDDs, Nursing Homes, Home Health Agencies & Hospices | A person who is eligible to work in hospitals and state licensed facilities but whose eligibility to work in federally certified facilities has lapsed. This person can regain eligibility to work in federally certified facilities by reporting recent employment or retaking a competency evaluation (see 4.4.0). |
| Federally Certified Nursing Homes & ICFs/MR and State Licensed Hospitals, FDDs, Nursing Homes, Home Health Agencies and Hospices | A person who completed long term care training only (no home health) and is eligible to work in all facility types, except federally certified home health agencies. |
| Federally Certified Home Health Agencies & Hospices and State Licensed Hospitals, FDDs, Nursing Homes, Home Health | A person who completed home health training only (no long term care) and is eligible to work in all facility types, except federally |

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| | |
|--|---|
| Agencies & Hospices | certified nursing homes and ICFs/MR. |
| This individual is not eligible for employment in any Federally Certified Agency or any health care provider regulated by DHFS. If individual is a Rehab Review Requestor, contact OLC | A person with a substantiated finding on the Wisconsin Caregiver Misconduct Registry who is ineligible to work in a state licensed facility unless approved through the Rehabilitation Review process. |

- Eligibility to perform as a medications aide; and
If a substantiated finding of abuse, neglect or misappropriation has been placed on the Registry in Wisconsin or in another state (if there is not a finding, there will be no comment).

NOTE: For detailed information on the Wisconsin Caregiver Misconduct Registry, see Chapter 6 of the Wisconsin Caregiver Program Manual.
<http://dhfs.wisconsin.gov/caregiver/index.htm>

If the information entered is not on file, the Website will display: **No records found matching the selected criteria.**

Please verify the information with the nurse aide and also verify that an application to the Registry has been sent to the Promissor Wisconsin Nurse Aide Registry.

4.6.0

Misconduct Findings Substantiated in Wisconsin

A nurse aide who has a substantiated finding of caregiver misconduct entered on the Wisconsin Caregiver Misconduct Registry is permanently barred from working in federally certified nursing homes in any capacity and may be permanently barred from working in federally certified ICFs/MR.

Nurse aides who have a finding of misconduct entered on the Wisconsin Caregiver Misconduct Registry may request a Rehabilitation Review with the Department. An approval through the Rehabilitation Review process allows a caregiver to work in a state-regulated facility, such as a state-licensed hospital, home health agency or community based residential facility. The Rehabilitation Review is an opportunity for a caregiver to provide clear evidence that a repeat of the conduct that led to the misconduct finding is not likely and clients will remain safe under the person's care. The Rehabilitation Review process cannot change the permanent federal bar (see ***The Wisconsin Caregiver Program Manual***, Chapter 5).

4.7.0 Misconduct Findings Substantiated in Other States

A nurse aide who has a substantiated finding of caregiver misconduct entered on another state's registry is permanently barred from working in federally certified nursing homes in any capacity and may be permanently barred from working in federally certified ICFs/MR. Therefore, facilities must contact every other state registry that may contain information about the person before allowing the person to serve as a nurse aide (see Appendix II).

Nurse aides who have a finding of misconduct entered on another state's registry or Registry may also request a Rehabilitation Review with the Department. An approval through the Rehabilitation Review process allows a caregiver to work in a state-regulated facility, such as a state-licensed hospital, home health agency or community based residential facility. The Rehabilitation Review is an opportunity for a caregiver to provide clear evidence that a repeat of the conduct that led to the misconduct finding is not likely and clients will remain safe under the person's care. The Rehabilitation Review process cannot change the permanent federal bar (see *The Wisconsin Caregiver Program Manual*, Chapter 5).

4.8.0 TRANSFERS TO OTHER STATES

If a nurse aide listed on the Wisconsin Nurse Aide Registry wishes to be included on another state's nurse aide registry, the nurse aide must complete the following steps:

- Make sure his or her employment eligibility status to work in federally certified facilities is current on the Wisconsin Nurse Aide Registry;
- Contact the transferring state's registry and inquire about that state's requirements; and
- Complete that state's application, following the directions from the state where they wish to transfer.

A nurse aide may maintain employment eligibility to work in Wisconsin federally certified facilities by reporting their out-of-state employment to the Wisconsin Nurse Aide Registry (see 4.4.0).

4.9.0 PUBLIC RECORD INFORMATION

Nurse Aide Registry records are public records. With the exception of a nurse aide's Social Security Number, and to the extent permitted by state and federal law, the information included in the Registry is available by contacting the Wisconsin Nurse Aide Registry at (877) 329-8760 or at http://www.asisvcs.com/services/registry/search_generic.asp?CPCat=0750NURSE.